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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 1*st January,* 2003/*Pausa* 11, 1924 *(Saka)*

The following Act of Parliament received the assent of the President on the 31st December, 2002 and is hereby published for general information:—

THE TRANSFER OF PROPERTY (AMENDMENT) ACT, 2002

No. 3 OF 2003

[31*st December*, 2002.]

An Act further to amend the Transfer of Property Act, 1882.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Transfer of Property (Amendment) Act, 2002.

Substitution of new section for section 106.

4 of 1882.

2. For section 106 of the Transfer of Property Act, 1882 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Duration of certain leases in absence of written contract or local usage.

"106. (*1*) In the absence of a contract or local law or usage to the contrary, a lease of immovable property for agricultural or manufacturing purposes shall be deemed to be a lease from year to year, terminable, on the part of either lessor or lessee, by six months' notice; and a lease of immovable property for any other purpose shall be deemed to be a lease from month to month, terminable, on the part of either lessor or lessee, by fifteen days' notice.

(2) Notwithstanding anything contained in any other law for the time being in force, the period mentioned in sub-section (1) shall commence from the date of receipt of notice.

(3) A notice under sub-section (1) shall not be deemed to be invalid merely because the period mentioned therein falls short of the period specified under that sub-section, where a suit or proceeding is filed after the expiry of the period mentioned in that sub-section.

(4) Every notice under sub-section (1) must be in writing, signed by or on behalf of the person giving it, and either be sent by post to the party who is intended to be bound by it or be tendered or delivered personally to such party, or to one of his family or servants at his residence, or (if such tender or delivery is not practicable) affixed to a conspicuous part of the property.".

Transitory provisions.

3. The provisions of section 106 of the principal Act, as amended by section 2, shall apply to—

(a) all notices in pursuance of which any suit or proceeding is pending at the commencement of this Act; and

(b) all notices which have been issued before the commencement of this Act but where no suit or proceeding has been filed before such commencement.

SUBHASH C. JAIN,
Secy. to the Govt. of India.

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